

REMARKS

The present application was filed on July 30, 2003 with claims 1-19, all of which remain pending. Claim 20 was added in a previous response and remained pending prior to the present amendment. Claims 1 and 17-19 were the independent claims prior to the present amendment.

Claims 1-3, 5, 6, 13 and 17-19 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,157,983 (hereinafter "Backstrom").

Claims 4, 14 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Backstrom in view of U.S. Patent Application Publication No. 2004/0198421 (hereinafter "Coan").

Claim 7 is rejected under 35 U.S.C. §103(a) as being unpatentable over Backstrom in view of U.S. Patent No. 6,496,499 (hereinafter "Hamilton").

Claim 16 is rejected under 35 U.S.C. §103(a) as being unpatentable over Backstrom in view of U.S. Patent No. 6,650,630 (hereinafter "Haartsen").

Claims 8-12 are indicated as containing allowable subject matter.

With regard to the §102 rejection, Applicant initially notes that a claim is anticipated "only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, the cited reference must show the "identical invention . . . in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). See generally MPEP 2131.

With regard to the present rejection of independent claim 1, Applicant respectfully submits that Backstrom fails to disclose the arrangement relied upon by the Examiner in the present Office Action at page 3, first paragraph. Indeed, nowhere does Backstrom indicate that the communication links are unidirectional telecommunication links or even that TDD mode is used. As such, Applicant respectfully traverses the present rejection of claim 1 for at least the reasons indicated in the previous response dated July 29, 2008.

Notwithstanding the foregoing traversal, Applicant has chosen to amend independent claims 1 and 17-19 to include limitations directed to subject matter similar to that recited in dependent claim 20, which has accordingly been canceled. A corresponding amendment has been made to dependent

claim 6 and allowable claim 8 has been rewritten in independent form. No further search is believed to be necessary. Moreover, as will be discussed below, these amendments are believed to place the application in condition for allowance, or at least in better form for consideration on appeal. Accordingly, entry is respectfully requested pursuant to 37 CFR 1.116(b)(2).

Claims 1 and 17-19 have been amended to include limitations directed to configuring a device such that in a first mode of operation the master radio only transmits data and the one or more slave radios only receive data and in a second mode of operation the master radio only receives data and the one or more slave radios only transmit data.

In arguing that Backstrom meets the limitations of previously presented claim 1 at page 3, fourth paragraph, the Examiner argues that Backstrom discloses configuring the base station shown in FIG. 1 such that in a particular mode of operation (“verification mode”), radio VER/TRX4 (which the Examiner labels as the “master radio”) only receives data and radio TRX1 (which the Examiner labels as the “slave radio”) only transmits data. Even assuming that one were to accept the Examiner’s characterization of the teachings of Backstrom, which are premised on the interpretation of Backstrom proffered by the Examiner in the present Office Action at page 3, first paragraph, and traversed by Applicants above, such teachings nonetheless fail to meet the limitations of amended claim 1. Nowhere does Backstrom teach or even suggest any mode of operation in which radio VER/TRX4 only transmits data and radio TRX1 only receives data. Hence, even assuming that one could accept the Examiner’s characterization of the teachings of Backstrom, Backstrom fails to disclose the limitations of amended claim 1 directed to configuring a device such that in a first mode of operation the master radio only transmits data and the one or more slave radios only receive data and in a second mode of operation the master radio only receives data and the one or more slave radios only transmit data.

Thus, Applicant respectfully submits that Backstrom fails to meet the limitations of claim 1, and thus fails to anticipate claim 1.

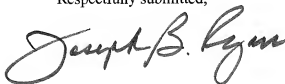
Amended claims 17-19 contain limitations similar to those discussed above with respect to claim 1, and are thus believed allowable for at least the reasons identified above with respect to claim 1.

Dependent claims 2-7 and 13-16 are believed allowable for at least the reasons identified above with regard to independent claim 1, from which each depends. Moreover, these claims define separately patentable subject matter.

For example, dependent claims 4, 7 and 14-16 are each rejected as unpatentable over Backstrom and an additional reference. Applicant respectfully submits that none of these additional references supplement the aforementioned deficiency of Backstrom to reach the limitations of claim 1, from which each of these claims depends.

In view of the above, Applicant believes that claims 1-20 are in condition for allowance and requests withdrawal of the present rejections.

Respectfully submitted,

A handwritten signature in black ink, reading "Joseph B. Ryan". The signature is fluid and cursive, with the first and last names being more prominent than the middle initial.

Date: November 25, 2008

Joseph B. Ryan
Attorney for Applicant(s)
Reg. No. 37,922
Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560
(516) 759-7517